

021004

2026 U.S. PTO

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PTO/SB/05 (03-01)

Approved for use through 10/31/2002. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

|                        |  |
|------------------------|--|
| Attorney Docket No.    | 2385.010                                       |
| First Inventor         | Diaz   |
| Title                  | Intra-Operative Procedure for Post-Operative.. |
| Express Mail Label No. | EV 446308448 US                                |

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1.  Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original and a duplicate for fee processing)
2.  Applicant claims small entity status.  
See 37 CFR 1.27.
3.  Specification [Total Pages 33]  
(preferred arrangement set forth below)
  - Descriptive title of the invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to sequence listing, a table, or a computer program listing appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
4.  Drawing(s) (35 U.S.C. 113) [ Total Sheets 9 ]
5. Oath or Declaration [ Total Pages 2 ]
  - a.  Newly executed (original or copy)
  - b.  Copy from a prior application (37 CFR 1.63 (d))  
(for continuation/divisional with Box 18 completed)
    - i.  **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6.  Application Data Sheet. See 37 CFR 1.76

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

 Continuation    Divisional    Continuation-in-part (CIP)

of prior application No. \_\_\_\_\_

Prior application information: Examiner \_\_\_\_\_

Group Art Unit: \_\_\_\_\_

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

## 19. CORRESPONDENCE ADDRESS

|   |  |                                   |              |  |              |
|---|--|-----------------------------------|--------------|--|--------------|
| <input checked="" type="checkbox"/> Customer Number or Bar Code Label | 21917<br>(Insert Customer No. or Attach bar code label here) |                                   | or           | <input checked="" type="checkbox"/> Correspondence address below |              |
| Name  | Michael A. Slavin, Esq.                                      |                                   |              |  |              |
| Address   | McHale & Slavin, P.A.  |                                   |              |  |              |
|   | 2855 PGA Boulevard   |                                   |              |  |              |
| City  | Palm Beach Gardens   | State                             | FL           | Zip Code   | 33410        |
| Country   | USA  | Telephone                         | 561-625-6575 | Fax  | 561-625-6572 |
| Name (Print/Type)   | Michael A. Slavin  | Registration No. (Attorney/Agent) | 34,016       |  |              |
| Signature   |  |                                   | Date         | 10/04  |              |

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

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PTO/SB/17 (10-02)

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# FEE TRANSMITTAL for FY 2003

*Patent fees are subject to annual revision.*

Applicant claims small entity status. See 37 CFR 1.27

**TOTAL AMOUNT OF PAYMENT** (\$ 428.00)

## Complete if Known

|                      |                  |
|----------------------|------------------|
| Application Number   |                  |
| Filing Date          | (Filed Herewith) |
| First Named Inventor | Diaz             |
| Examiner Name        |                  |
| Art Unit             |                  |
| Attorney Docket No.  | 2385.010         |

## METHOD OF PAYMENT (check all that apply)

Check  Credit card  Money Order  Other  None

Deposit Account:

Deposit Account Number  
Deposit Account Name  
McHale & Slavin, P.A.

The Commissioner is authorized to: (check all that apply)

Charge fee(s) indicated below  Credit any overpayments  
 Charge any additional fee(s) during the pendency of this application  
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

| Large Entity        | Small Entity  | Fee Description        | Fee Paid      |
|---------------------|---------------|------------------------|---------------|
| Fee Code (\$)       | Fee Code (\$) |                        |               |
| 1001 740            | 2001 370      | Utility filing fee     | 385.00        |
| 1002 330            | 2002 165      | Design filing fee      |               |
| 1003 510            | 2003 255      | Plant filing fee       |               |
| 1004 740            | 2004 370      | Reissue filing fee     |               |
| 1005 160            | 2005 80       | Provisional filing fee |               |
| <b>SUBTOTAL (1)</b> |               | <b>(\$)</b>            | <b>385.00</b> |

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

|                    | Extra Claims | Fee from below           | Fee Paid |
|--------------------|--------------|--------------------------|----------|
| Total Claims       | 19           | -20** = 0 x 9.00 = -0-   |          |
| Independent Claims | 4            | -3** = 1 x 43.00 = 43.00 |          |
| Multiple Dependent |              | 145.00                   | -0-      |

| Large Entity        | Small Entity  | Fee Description  |
|---------------------|---------------|--|
| Fee Code (\$)       | Fee Code (\$) |  |
| 1202 18             | 2202 9        | Claims in excess of 20                                     |
| 1201 84             | 2201 42       | Independent claims in excess of 3                          |
| 1203 280            | 2203 140      | Multiple dependent claim, if not paid                      |
| 1204 84             | 2204 42       | ** Reissue independent claims over original patent         |
| 1205 18             | 2205 9        | ** Reissue claims in excess of 20 and over original patent |
| <b>SUBTOTAL (2)</b> |               | <b>(\$)</b> 43.00  |

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

| Large Entity  | Small Entity  | Fee Description  | Fee Paid |
|---------------|---------------|--|----------|
| Fee Code (\$) | Fee Code (\$) |  |          |
| 1051 130      | 2051 65       | Surcharge - late filing fee or oath  |          |
| 1052 50       | 2052 25       | Surcharge - late provisional filing fee or cover sheet                     |          |
| 1053 130      | 1053 130      | Non-English specification  |          |
| 1812 2,520    | 1812 2,520    | For filing a request for <i>ex parte</i> reexamination                     |          |
| 1804 920*     | 1804 920*     | Requesting publication of SIR prior to Examiner action                     |          |
| 1805 1,840*   | 1805 1,840*   | Requesting publication of SIR after Examiner action                        |          |
| 1251 110      | 2251 55       | Extension for reply within first month                                     |          |
| 1252 400      | 2252 200      | Extension for reply within second month                                    |          |
| 1253 920      | 2253 460      | Extension for reply within third month                                     |          |
| 1254 1,440    | 2254 720      | Extension for reply within fourth month                                    |          |
| 1255 1,960    | 2255 980      | Extension for reply within fifth month                                     |          |
| 1401 320      | 2401 160      | Notice of Appeal   |          |
| 1402 320      | 2402 160      | Filing a brief in support of an appeal                                     |          |
| 1403 280      | 2403 140      | Request for oral hearing   |          |
| 1451 1,510    | 1451 1,510    | Petition to institute a public use proceeding                              |          |
| 1452 110      | 2452 55       | Petition to revive - unavoidable   |          |
| 1453 1,280    | 2453 640      | Petition to revive - unintentional   |          |
| 1501 1,280    | 2501 640      | Utility issue fee (or reissue)   |          |
| 1502 460      | 2502 230      | Design issue fee   |          |
| 1503 620      | 2503 310      | Plant issue fee  |          |
| 1460 130      | 1460 130      | Petitions to the Commissioner  |          |
| 1807 50       | 1807 50       | Processing fee under 37 CFR 1.17(q)  |          |
| 1806 180      | 1806 180      | Submission of Information Disclosure Stmt                                  |          |
| 8021 40       | 8021 40       | Recording each patent assignment per property (times number of properties) |          |
| 1809 740      | 2809 370      | Filing a submission after final rejection (37 CFR 1.129(a))                |          |
| 1810 740      | 2810 370      | For each additional invention to be examined (37 CFR 1.129(b))             |          |
| 1801 740      | 2801 370      | Request for Continued Examination (RCE)                                    |          |
| 1802 900      | 1802 900      | Request for expedited examination of a design application                  |          |

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

**SUBTOTAL (3) (\$)** -0-

(Complete if applicable)

|                   |                   |                                   |        |           |              |
|-------------------|-------------------|-----------------------------------|--------|-----------|--------------|
| Name (Print/Type) | Michael A. Slavin | Registration No. (Attorney/Agent) | 34,016 | Telephone | 561-625-6575 |
| Signature         |                   |                                   |        | Date      | 10/10/04     |

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

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